

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

MARK OSBORNE,)	
)	
Plaintiff,)	
)	
v.)	Case No. _____
)	
JAILER STEPHAN HARMON, et al.)	Related to WD-KY Case No.
)	4:23-cv-00116
Defendants.)	

UNITED STATES' MOTION TO QUASH SUBPOENA TO AUSA DAUGHTREY

This is a motion to quash filed by the United States on behalf of a current federal prosecutor pursuant to Fed. R. Civ. P. 45. Because the place of compliance in the subpoena is in this District, this motion is brought in the Middle District of Tennessee. Fed. R. Civ. P. 45(d)(3)(B).

Pro se Plaintiff Mark Osborne mailed a subpoena to the United States Attorney's Office, 719 Church Street, Suite 3300, Nashville, TN 37203, addressed to Assistant United States Attorney S. Carran Daughtrey ("AUSA Daughtrey") in her official capacity. The subpoena requests that AUSA Daughtrey produce certain documents in a case pending in the Western District of Kentucky captioned *Osborne v. Harmon*, Case No. 4:23-cv-116. The undersigned exchanged several letters with Mr. Osborne attempting to clarify what Mr. Osborne was seeking and how it related to this case. AUSA Daughtrey was the lead criminal prosecutor in the child pornography and abuse case the United States filed against Mr. Osborne and in which he pled guilty. *See* Case No. 3:19-cr-00249-1 (M.D. Tenn.).

As discussed more fully in the accompanying memorandum of law, federal government employees are prohibited by regulation from testifying or producing documents without having been previously authorized to do so by a responsible agency official. *See generally* 28 C.F.R. § 16.21. Pursuant to these regulations, AUSA Daughtrey has been instructed that she is not

authorized to comply with the defendant's subpoena. In addition, the subpoena should be quashed for undue burden pursuant to Rule 45(d)(3).

Therefore, the United States respectfully moves this Court to quash the subpoena to AUSA Daughtrey in all respects.

Respectfully submitted,

THOMAS JAWORSKI
Acting United States Attorney
Middle District of Tennessee

A handwritten signature in blue ink that reads "Anica C. Jones". The signature is written in a cursive, flowing style.

ANICA C. JONES (B.P.R. # 025325)
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CERTIFICATE OF SERVICE

I hereby certify that on October 18, 2024, a copy of the foregoing was filed electronically. A copy will be sent to the following, if registered, by operation of the Court's electronic filing system. If not registered, a copy was sent by United States First Class Mail, postage prepaid, to the following:

<p>Mark J. Osborne Inmate No. 201800046209 WILLIAMSON COUNTY JAIL 408 Century Court Franklin, TN 37064</p> <p><i>Pro Se Plaintiff</i></p>	<p>Matthew Porter Cook Kerrick Bachert PSC P.O. Box 9547 Bowling Green, KY 42102</p> <p>Thomas N. Kerrick Kerrick Bachert PSC 1025 State Street P.O. Box 9547 Bowling Green, KY 42101</p> <p><i>Counsel for Defendant Jailer Stephan Harmon and Melissa Wathen</i></p>
<p>Davis Lee Hunter Dorsey Gray Norment & Hopgood 318 Second Street Henderson, KY 42420</p> <p><i>Counsel for Henderson County, KY</i></p>	<p>William E. Squires City of Franklin Assistant City Attorney 109 Third Avenue South Franklin, TN 37064</p> <p><i>Counsel for Franklin, TN</i></p>



ANICA C. JONES
Assistant United States Attorney